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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 BNSF RAILWAY COMPANY and UNION
20 PACIFIC RAILROAD COMPANY,

21 Plaintiffs,

22 vs.

23 CALIFORNIA STATE BOARD OF
EQUALIZATION, et al.,

24 Defendants.

Case No. 3:16-cv-04311-RS

~~PROPOSED~~ ORDER REGARDING
BRIEFING AND HEARING ON
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION, AND
RELATED MATTERS

Judge: Hon. Richard Seeborg
Place: Courtroom 3, 450 Golden Gate Ave.,
San Francisco, California

~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties, good cause having been shown, IT IS HEREBY ORDERED that:

1. The following briefing and hearing schedule shall apply to Plaintiffs' Motion for a Preliminary Injunction:

Deadline for Defendants' Opposition: September 13, 2016

Deadline for Plaintiffs' Reply: September 20, 2016

Hearing on motion for preliminary injunction: October 13, 2016 at 1:30 pm

2. No notice the Board of Equalization may send pursuant to Cal. Code Regs. tit. 19, § 2704(a), *see also* Cal. Gov't Code § 8574.32(b)(1), shall direct railroads operating in California to collect the SB 84 charge earlier than November 13, 2016.

3. Defendants' obligation to answer or otherwise respond to the Complaint is stayed until 40 days after the Court's decision on Plaintiffs' Motion for a Preliminary Injunction.

4. All discovery-related obligations and disclosures under Fed. R. Civ. P. 26 are stayed until further order of this Court.

DATED: 8/18/16

By:


Hon. Richard Seeborg

UNITED STATES DISTRICT JUDGE